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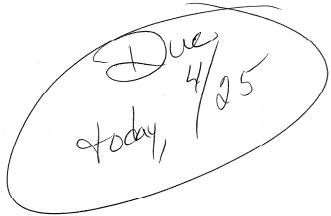


2 LEGISLATURE

LRBb0006/\$\frac{1}{8}\text{ALL:kmg:pg}

### SENATE AMENDMENT,

**TO 2001 SENATE BILL 55** 



- 1 At the locations indicated, amend the bill as follows:
- Page 177, line 10: delete "poll or registration" and substitute "poll or registration".

\*\*\*\*NOTE: Corrects striking to make the sentence consistent with the treatment of the rest of the section.

- **2.** Page 347, line 15: delete "Inc." and substitute "Inc.".
- Page 526, line 18: delete "minority civil engineer" and substitute "minority
  civil engineer".

\*\*\*\*Note: See the Note to the item for page 527, line 7.

**4.** Page 527, line 7: delete "minority civil engineer".

\*\*\*\*Note: Corrects a reference to reflect the renaming of the minority civil engineer scholarship and loan repayment incentive grant program to the scholarship and loan repayment incentive grant program.

- **5.** Page 588, line 12: after "146," insert "section 6,".
- 9 **6.** Page 686, line 6: delete "water" and substitute "water.".

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- 7. Page 692, line 15: delete ", as affected by 1999 Wisconsin Act".
  - \*\*\*\*Note: This amendment deletes the delayed treatment of s. 36.09 (1) (e), stats., by 1999 Wisconsin Act 42.
  - 8. Page 692, line 16: delete "42, section 18,".
  - \*\*\*\*Note: This amendment deletes the delayed treatment of s.  $36.09\,(1)\,(e)$ , stats., by 1999 Wisconsin Act 42.
- 9. Page 720, line 13: delete the material beginning with "operating" and
  4 ending with "119" on line 14 and substitute "in which the charter school is located".
  - 10. Page 849, line 2: on lines 2 and 3, after "50.065," insert "50.52,".
  - \*\*\*\*NOTE: Inserts reference to authorize imposition of sanctions for violation of section referenced.
  - 11. Page 874, line 1: delete lines 1 to 8 and substitute "assignable. The department shall withhold, suspend or revoke approval for a failure to comply with s. 165.40 (6) (a) 1. or 2., but, except as provided in s. 50.498, otherwise may not withhold, suspend or revoke approval unless for a substantial failure to comply with ss. 50.32 to 50.39 or the rules and standards adopted by the department after giving a reasonable notice, a fair hearing and a reasonable opportunity to comply. Failure by a hospital to comply with s. 50.36 (3m) shall be considered to be a substantial failure to comply under this section.".

\*\*\*\* $N_{\rm OTE}$ : Repeals language that is redundant to and narrower than the treatment of s. 50.03~(5g)~(e), stats.

- 12. Page 875, line 8: delete that line and substitute:
- "Section 1933g. 50.49 (9) of the statutes is amended to read:
  - 50.49 (9) RIGHT OF INJUNCTION. All orders An order issued by the department under for a violation of this section shall be enforced by the attorney general. The circuit court of Dane County shall have jurisdiction to enforce such orders by injunctional and other appropriate relief.".

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\*\*\*\*Note: Corrects treatment of s. 50.49 (9), stats., to conform that treatment to s. 50.03 (5g) (b), stats. (renumbered s. 50.02 (3m) (a) 1.), and s. 50.39 (4), stats.

- 13. Page 879, line 6: delete "regulation" and substitute "regulation rules".
- 2 14. Page 879, line 8: delete "licensee's" and substitute "licensee's entity's".
  - 15. Page 883, line 19: after that line insert:
  - "(am) In determining whether a forfeiture is to be imposed under par. (a) 1. and in fixing the amount of the forfeiture to be imposed under par. (a) 2., if any, for a violation, the department shall consider the following factors:
  - 1. The gravity of the violation, including the probability that death or serious physical or psychological harm to a patient will result or has resulted; the severity of the actual or potential harm; and the extent to which the provisions of the applicable statutes or rules were violated.
  - 2. Good faith exercised by the treatment facility. Indications of good faith include awareness of the applicable statutes and rules and reasonable diligence in complying with such requirements, prior accomplishments manifesting the treatment facility's desire to comply with the requirements, efforts to correct, and any other mitigating factors in favor of the treatment facility.
    - 3. Any previous violations committed by the treatment facility.
  - 4. The financial benefit to the treatment facility of committing or continuing the violation.".

\*\*\*\*Note: Requires consideration of factors in imposing forfeitures on treatment facilities that are identical to those required to be considered in imposing forfeitures on health care facilities under the treatment of s. 50.98 (2), stats.

- **16.** Page 930, line 17: substitute "sub." for "s. 69.20".
- 20 **17.** Page 959, line 10: delete "from 1999 WI".
- 21 **18.** Page 959, line 11: delete "Act 185".

1	19. Page 990, line 21: after "by" insert "the discharge of".
	****NOTE: This item is necessary to make the section consistent with similar provisions under ss. 75.105 and 75.106, stats.
2	20. Page 1015, line 23: after that line insert:
3	"1. Law enforcement.".
	****NOTE: This item restores language that was unintentionally deleted.
4	<b>21.</b> Page 1024, line 6: delete "86.225" and substitute "86.255".
5	22. Page 1156, line 15: delete the underscored material beginning with "or
6	any private" and ending with "in the city" on line 16.
7	23. Page 1156, line 17: after "city" insert "or any private school located outside
8	the city that is situated on property, any portion of which is located in the city,".
9	<b>24.</b> Page 1204, line 1: substitute "126.85" for "127.85".
10	25. Page 1205, line 25: after "obligations" insert "under".
11	26. Page 1375, line 16: after that line insert:
12	"Section 3011d. 196.66 (3) (b) 1. and 3. of the statutes are amended to read:
13	196.66 (3) (b) 1. The appropriateness of the forfeiture to the volume of business
14	of the public utility or telecommunications provider.
15	3. Any good faith attempt to achieve compliance after the public utility,
16	telecommunications provider, agent, director, officer, or employee receives notice of
17	the violation.".
‡ · 18	****Note: This item amends s. 196.66 (3) (b) 1. and 3., stats., to make them consistent with the amendment of s. 196.66 (3) (b) (intro.).  Page 1463, line 20: delete ((intro.)).  Page 1615, line 23: after "number" insert "or federal income tax number"
19	28. Page 1672, line 5: after "department" insert "or county department".

\*\*\*\*Note: This item supplies a necessary reference to a county department of human services or social services (county department) in s. 938.208 (1) (intro.), stats.

That reference is necessary because county departments supervise juveniles placed in a Type 2 child caring institution or in the intensive supervision program.

- 1 **29.** Page 1721, line 18: after that line insert:
- 2 "Section 4041m. 1997 Wisconsin Act 237, section 82er is repealed.
- 3 Section 4041n. 1997 Wisconsin Act 237, section 9452 is repealed.".

\*\*\*\*NOTE: This treatment is necessary to abolish the land information board on the effective date of the biennial budget act.

- 4 **30.** Page 1722, line 21: after that line insert:
- 5 "Section 4065m. 1999 Wisconsin Act 42, sections 18 and 27 are repealed.".

\*\*\*\*Note: This provision is necessary to abolish the land information board on the biennial budget bill's effective date.

**31.** Page 1728, line 3: delete "secretary" and substitute "executive director".

\*\*\*\*Note: Corrects a reference to the head of the TEACH board, which is an executive director, not a secretary.

7 **32.** Page 1751, line 16: delete "increases" and substitute "decreases".

\*\*\*\*NOTE: This corrects the title of the paragraph to make it consistent with the substance of the paragraph, which involves a decrease in FTE positions.

**33.** Page 1769, line 2: delete lines 2 to 11.

\*\*\*\*NOTE: This item eliminates a subsection that is redundant to Section 9152 (2).
2 1805, line 6: delete "fanuary of" and substitute "January of" and substitute "January of "and substitute "301.025,".

\*\*\*\*Note: This item corrects two transposed digits in a statutory reference in the effective date provision for the elimination of the juvenile boot camp program. Section 301.025, stats., not s. 301.205, stats., is affected by the bill.

- 35. Page 1819, line 22: delete that line and substitute "(6g) and (16m), 69.11
- 11 (3) (b) 2., 69.18 (1) (bm) (intro.) and (2) (a) and (d) 1. and 2., 69.20 (2) (c), and 69.21
- 12 (1) (a) 2. b. of the".

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\*\*\*\*Note: Adds to the delayed effective date those provisions affected by other delayed statutory changes.

- **36.** Page 1825, line 20: delete "takes" and substitute ", and Section 9352 (4)
- 14 of this act take".

\*\*\*\*Note: Adds an initial applicability provision for sections 938.17 (2) (d), 938.34 (8), and 938.343 (2) to the delayed effective date for those sections.

(END)

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LRBb0006/8dn ALL:kmg:pg

April 2, 2001

ATTENTION: The DRAFTER'S NOTE must always accompany REDRAFTS of this amendment.

This is the **LRB technical amendment to Senate Bill 55.** See Steve Miller's memo of February 20, 2001, item #5, for instructions.



### State of Misconsin 2001 - 2002 LEGISLATURE





### SENATE AMENDMENT,

TO 2001 SENATE BILL 55

At the locations indicated, amend the bill as follows:

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 ${}^{****}\mathrm{Note}$ : Corrects striking to make the sentence consistent with the treatment of the rest of the section.

- 2. Page 347, line 15: delete "Inc." and substitute "Inc.,".
- Page 526, line 18: delete "minority civil engineer" and substitute "minority
- 6 civil engineer".

\*\*\*\*NOTE: See the NOTE to the item for page 527, line 7.

7 **4.** Page 527, line 7: delete "minority civil engineer".

\*\*\*\*Note: Corrects a reference to reflect the renaming of the minority civil engineer scholarship and loan repayment incentive grant program to the scholarship and loan repayment incentive grant program.

- **5.** Page 588, line 12: after "146," insert "section 6,".
- 9 6. Page 686, line 6: delete "water" and substitute "water.".

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  - 11. Page 874, line 1: delete lines 1 to 8 and substitute "assignable. The department shall withhold, suspend or revoke approval for a failure to comply with s. 165.40 (6) (a) 1. or 2., but, except as provided in s. 50.498, otherwise may not withhold, suspend or revoke approval unless for a substantial failure to comply with ss. 50.32 to 50.39 or the rules and standards adopted by the department after giving a reasonable notice, a fair hearing and a reasonable opportunity to comply. Failure by a hospital to comply with s. 50.36 (3m) shall be considered to be a substantial failure to comply under this section."

\*\*\*\*Note: Repeals language that is redundant to and narrower than the treatment of s. 50.03(5g)(e), stats.

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- "Section 1933g. 50.49 (9) of the statutes is amended to read:
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- 2 14. Page 879, line 8: delete "licensee's" and substitute "licensee's entity's".
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    - 1. The gravity of the violation, including the probability that death or serious physical or psychological harm to a patient will result or has resulted; the severity of the actual or potential harm; and the extent to which the provisions of the applicable statutes or rules were violated.
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- 21 **18.** Page 959, line 11: delete "Act 185".

- 1 19. Page 990, line 21: after "by" insert "the discharge of".
  - \*\*\*\*Note: This item is necessary to make the section consistent with similar provisions under ss. 75.105 and 75.106, stats.
- 2 **20.** Page 1015, line 23: after that line insert:
- 3 "1. Law enforcement.".
  - \*\*\*\*NOTE: This item restores language that was unintentionally deleted.
- **21.** Page 1024, line 6: delete "86.225" and substitute "86.255".
- 5 **22.** Page 1156, line 15: delete the underscored material beginning with "or any private" and ending with "in the city" on line 16.
- Page 1156, line 17: after "city" insert "or any private school located outside

  the city that is situated on property, any portion of which is located in the city,".
- 9 **24.** Page 1204, line 1: substitute "126.85" for "127.85".
- 10 **25.** Page 1205, line 25: after "obligations" insert "under".
- 11 **26.** Page 1375, line 16: after that line insert:
- **"Section 3011d.** 196.66 (3) (b) 1. and 3. of the statutes are amended to read:
- 13 196.66 (3) (b) 1. The appropriateness of the forfeiture to the volume of business of the public utility or telecommunications provider.
- 3. Any good faith attempt to achieve compliance after the public utility, telecommunications provider, agent, director, officer, or employee receives notice of the violation.".
  - \*\*\*\*NOTE: This item amends s. 196.66 (3) (b) 1. and 3., stats., to make them consistent with the amendment of s. 196.66 (3) (b) (intro.).
- 18 **27.** Page 1463, line 20: delete "(intro.)".
- 19 **28.** Page 1615, line 23: after "number" insert "or federal income tax number".
- 29. Page 1672, line 5: after "department" insert "or county department".

\*\*\*\*Note: This item supplies a necessary reference to a county department of human services or social services (county department) in s. 938.208 (1) (intro.), stats. That reference is necessary because county departments supervise juveniles placed in a Type 2 child caring institution or in the intensive supervision program.

- 1 **30.** Page 1721, line 18: after that line insert:
- 2 "Section 4041m. 1997 Wisconsin Act 237, section 82er is repealed.
- 3 SECTION 4041n. 1997 Wisconsin Act 237, section 9452 is repealed.".

\*\*\*\*Note: This treatment is necessary to abolish the land information board on the effective date of the biennial budget act.

- 4 31. Page 1722, line 21: after that line insert:
- 5 "Section 4065m. 1999 Wisconsin Act 42, sections 18 and 27 are repealed.".

\*\*\*\*NOTE: This provision is necessary to abolish the land information board on the biennial budget bill's effective date.

32. Page 1728, line 3: delete "secretary" and substitute "executive director".

\*\*\*\*Note: Corrects a reference to the head of the TEACH board, which is an executive director, not a secretary.

33. Page 1751, line 16: delete "increases" and substitute "decreases".

\*\*\*\*Note: This corrects the title of the paragraph to make it consistent with the substance of the paragraph, which involves a decrease in FTE positions.

**34.** Page 1769, line 2: delete lines 2 to 11.

\*\*\*\*Note: This item eliminates a subsection that is redundant to Section 9152 (2).

- 35. Page 1805, line 6: delete "January of" and substitute "January 1 of".
- **36.** Page 1817, line 19: delete "301.205," and substitute "301.025,".

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- 12 (3) (b) 2., 69.18 (1) (bm) (intro.) and (2) (a) and (d) 1. and 2., 69.20 (2) (c), and 69.21
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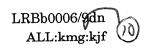
V H. Page 1775, line 10: delete "workforce".

referred to in this provision is the "department of administration," not the

- 38. Page 1825, line 20: delete "takes" and substitute ", and Section 9352 (4)
- 2 of this act take".

\*\*\*\*Note: Adds an initial applicability provision for sections 938.17(2)(d), 938.34(8), and 938.343(2) to the delayed effective date for those sections.

3 (END)



April 25, 2001

ATTENTION: The DRAFTER'S NOTE must always accompany REDRAFTS of this amendment.

This is the LRB technical amendment to Senate Bill 55. See Steve Miller's memo of February 20, 2001, item #5, for instructions.

LRBb0006/10dn ALL:kmg:jf

May 21, 2001

ATTENTION: The DRAFTER'S NOTE must always accompany REDRAFTS of this amendment.

This is the LRB technical amendment to Senate Bill 55. See Steve Miller's memo of February 20, 2001, item #5, for instructions.

#### Barman, Mike

From: Barman, Mike

Sent: Monday, May 21, 2001 3:24 PM

To: Aaron Gary; Becky Tradewell; Cathlene Hanaman; Debora Kennedy; Gordon Malaise; Ivy Sager-

Rosenthal; Jeffery Kuesel; Joseph Kreye; Madelon Lief; Marc Shovers; Mark Kunkel; Mary Glass; Michael Dsida; Pam Kahler; Peggy Hurley; Peter Dykman; Peter Grant; Rick Champagne; Robert

Marchant; Robert Nelson; Robin Kite; Robin Ryan; Steve Miller; Timothy Fast

Subject: LRBb0006/10 (attached) (LRB Tech. Amend.)

#### Mike Barman

Mike Barman - Senior Program Asst. (PH. 608-266-3561) (E-Mail: mike.barman@legis.state.wi.us) (FAX: 608-264-6948)

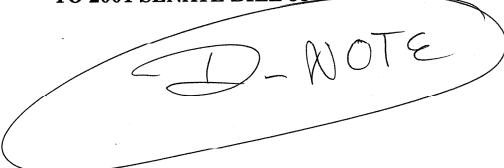
State of Wisconsin Legislative Reference Bureau - Legal Section - Front Office 100 N. Hamilton Street - 5th Floor Madison, WI 53703



State of Misconsin 2001 - 2002 LEGISLATURE LRBb0006/10 ALL:kmg;jf

SENATE AMENDMENT

TO 2001 SENATE BILL 5



At the locations indicated, amend the bill as follows:

- Page 177, line 10: delete "poll or registration" and substitute "poll or registration".
  - \*\*\*\*Note: Corrects striking to make the sentence consistent with the treatment of the rest of the section.
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  6 civil engineer".
  - \*\*\*\*Note: See the Note to the item for page 527, line 7.
- 7 **4.** Page 527, line 7: delete "minority civil engineer".
  - \*\*\*\*NOTE: Corrects a reference to reflect the renaming of the minority civil engineer scholarship and loan repayment incentive grant program to the scholarship and loan repayment incentive grant program.
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- 9 **6.** Page 686, line 6: delete "water" and substitute "water.".

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  - ${}^{****}\mathrm{NOTE:}$  Inserts reference to authorize imposition of sanctions for violation of section referenced.
  - 11. Page 874, line 1: delete lines 1 to 8 and substitute "assignable. The department shall withhold, suspend or revoke approval for a failure to comply with s. 165.40 (6) (a) 1. or 2., but, except as provided in s. 50.498, otherwise may not withhold, suspend or revoke approval unless for a substantial failure to comply with ss. 50.32 to 50.39 or the rules and standards adopted by the department after giving a reasonable notice, a fair hearing and a reasonable opportunity to comply. Failure by a hospital to comply with s. 50.36 (3m) shall be considered to be a substantial failure to comply under this section."

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17	the violation.".
	****NOTE: This item amends s. 196.66 (3) (b) 1. and 3., stats., to make them consistent with the amendment of s. 196.66 (3) (b) (intro.).

28. Page 1615, line 23: after "number" insert "or federal income tax number".

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**27.** Page 1463, line 20: delete "(intro.)".

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\*\*\*\*Note: This item supplies a necessary reference to a county department of human services or social services (county department) in s. 938.208 (1) (intro.), stats. That reference is necessary because county departments supervise juveniles placed in a Type 2 child caring institution or in the intensive supervision program.

- 1 **30.** Page 1721, line 18: after that line insert:
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- Section 4041n. 1997 Wisconsin Act 237, section 9452 is repealed.". 3

\*\*\*\*Note: This treatment is necessary to abolish the land information board on the effective date of the biennial budget act.

- **31.** Page 1722, line 21: after that line insert:
- "Section 4065m. 1999 Wisconsin Act 42, sections 18 and 27 are repealed.". 5

\*\*\*\*Note: This provision is necessary to abolish the land information board on the biennial budget bill's effective date.

**32.** Page 1728, line 3: delete "secretary" and substitute "executive director". 6

> \*\*\*\*Note: Corrects a reference to the head of the TEACH board, which is an executive director, not a secretary.

33. Page 1751, line 16: delete "increases" and substitute "decreases". 7

> \*\*\*\*Note: This corrects the title of the paragraph to make it consistent with the substance of the paragraph, which involves a decrease in FTE positions.

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(lake management project granto was renumbered.

\*\*\*\*Note: This item eliminates a subsection that is redundant to Section 9152 (2).

**35.** Page 1775, line 10: delete "workforce".

\*\*\*\*Note: The correct name of the department referred to in this provision is the "department of administration," not the "department of workforce administration."

- **36.** Page 1805, line 6: delete "January of" and substitute "January 1 of".
- **37.** Page 1817, line 19: delete "301.205," and substitute "301.025,".

\*\*\*\*Note: This item corrects two transposed digits in a statutory reference in the effective date provision for the elimination of the juvenile boot camp program. Section 301.025, stats., not s. 301.205, stats., is affected by the bill.

# Page 1801, line 20: 6wbstitute "2m." for "2".

\*\*\*\* Note: This when corrects a cross- Reference that
was not changed when the statutory provision dealing with a

- **38.** Page 1819, line 22: delete that line and substitute "(6g) and (16m), 69.11
- 2 (3) (b) 2., 69.18 (1) (bm) (intro.) and (2) (a) and (d) 1. and 2., 69.20 (2) (c), and 69.21
- 3 (1) (a) 2. b. of the".

\*\*\*\*Note: Adds to the delayed effective date those provisions affected by other delayed statutory changes.

- **39.** Page 1825, line 20: delete "takes" and substitute ", and Section 9352 (4)
- 5 of this act take".

\*\*\*\*Note: Adds an initial applicability provision for sections 938.17 (2) (d), 938.34 (8), and 938.343 (2) to the delayed effective date for those sections.

6

(END)

LRBb0006/10dn ALL:kmg;jf

May 21, 2001

ATTENTION: The DRAFTER'S NOTE must always accompany REDRAFTS of this amendment.

This is the LRB technical amendment to Senate Bill 55. See Steve Miller's memo of February 20, 2001, item #5, for instructions.

#### Barman, Mike

From: Barman, Mike

**Sent:** Tuesday, May 22, 2001 3:51 PM

To: Aaron Gary; Becky Tradewell; Cathlene Hanaman; Debora Kennedy; Gordon Malaise; Ivy Sager-

Rosenthal, Jeffery Kuesel, Joseph Kreye, Madelon Lief, Marc Shovers, Mark Kunkel, Mary Glass, Michael Dsida, Pam Kahler, Peggy Hurley, Peter Dykman, Peter Grant, Rick Champagne, Robert

Marchant; Robert Nelson; Robin Kite; Robin Ryan; Steve Miller; Timothy Fast

Subject: LRBb0006/11 (attached) (LRB Tech. Amend.)

#### Mike Barman

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State of Wisconsin Legislative Reference Bureau - Legal Section - Front Office 100 N. Hamilton Street - 5th Floor Madison, WI 53703

LRBb0006/11dn ALL:kmg:pg

May 22, 2001

ATTENTION: The DRAFTER'S NOTE must always accompany REDRAFTS of this amendment.

This is the **LRB technical amendment to Senate Bill 55.** See Steve Miller's memo of February 20, 2001, item #5, for instructions.